

Kansas Department of Agriculture
Division of Water Resources
APPROVAL OF CHANGE APPLICATION WORKSHEET

1. File No.: 22969	2. Status Change Date:	4. Field Office: 04 - Garden City GMD: 03 - Southwest Structures File No.: Filing/Priority Date: 3/26/2025 Application Complete Date:				
3. Package File No(s): 20247048-MF						
5a. <input checked="" type="checkbox"/> Applicant <input checked="" type="checkbox"/> Owner <input checked="" type="checkbox"/> WUC Person ID 64581 <input type="checkbox"/> Address Change Add Seq# NOBLE DAIRY LLC 3705 F ROAD GARDEN CITY KS 67846		5b. <input type="checkbox"/> Owner <input type="checkbox"/> WUC Person ID <input type="checkbox"/> Address Change Add Seq#				
5c. <input type="checkbox"/> Owner <input type="checkbox"/> WUC Person ID <input type="checkbox"/> Address Change Add Seq#		5d. <input type="checkbox"/> Owner <input type="checkbox"/> WUC Person ID <input type="checkbox"/> Address Change Add Seq#				
6. Change No.: C1 <input checked="" type="checkbox"/> PD <input type="checkbox"/> PU <input type="checkbox"/> UMW Base Acres: Year: Min Reasonable Q: Previous UMW: Not changing MDS Gauge: Active Admin? <input type="checkbox"/> Completion/Start Date: 12/31/2025 Perfection/Expiration Date:			7. Use of Water <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water UMW: IRR-Irrigation UMW: UMW:			
8. Action Trail						
9. Special Conditions						
10. 5YR Allocation Type: Start Year: 5YR Quantity: Base Acres: Comment:						
11. Sand & Gravel Proj ID: <input type="checkbox"/> Active <input type="checkbox"/> Dredge <input type="checkbox"/> IND Evap <input type="checkbox"/> Jr Evap <input type="checkbox"/> Other Diversion <input type="checkbox"/> Rpt on Sr						
12. Waiver Rule ID: <input type="checkbox"/> New Date Requested: Applies: Rule No.: Justification: Rule Type: Rule SubType:						
Comments OWNERSHIP WORKSHEET PENDING IN DOCUWARE 3/25/2025 DEED RECEIVED WITH MYFA APPLICATION			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Processed 4/16/2025 AM</td> <td rowspan="2" style="width: 50%; vertical-align: top;">Entered</td> </tr> <tr> <td>Reviewed</td> </tr> </table>	Processed 4/16/2025 AM	Entered	Reviewed
Processed 4/16/2025 AM	Entered					
Reviewed						

File No. 22969		13. County: FI Basin: ARKANSAS RIVER Stream:																			
Structures File No:		Aquifer Code: 211 / 331												Special Use Area:							
14. Points of Diversion, Rates & Quantities																					
PDIV	Qualifier	S	T	R	ID	'N	'W	Comment (AKA Line)	Oty AF Auth	Add	Rate gpm Auth	Add	Storage Qty Auth	Add	Storage Rate Auth/Add	Overlaps					
DEL 7180																					
ENT		NW NE NE		9	26S	32W	5206	1000	134	134	850	850					*				
15. Limitations Type: Quantity: Rate: combined with file no(s):																					
Type: Quantity: Rate: combined with file no(s):																					
16. Metering <input checked="" type="checkbox"/> Metering Required <input type="checkbox"/> Anti-Reverse Required <input type="checkbox"/> Seal Required Compliance Date: 12/31/2025																					
17. Place of Use		NE¼				NW¼				SW¼				SE¼				Total	Owner(s)	Chg?	Overlaps
PUSE	S	T	R	ID	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
CHK 2924																		5a	<input checked="" type="checkbox"/>	*	
																			<input type="checkbox"/>		
																			<input type="checkbox"/>		
																			<input type="checkbox"/>		
																			<input type="checkbox"/>		
																			<input type="checkbox"/>		
18. Point of Diversion and Place of Use Overlaps																					
* 20247048-MF										**											
+										++											
#										##											
^										^^											

Garden City Field Office
4532 W. Jones, Suite B
Garden City, KS 67846

Mike Beam, Secretary



Phone: 620-276-2901
Fax: 620-276-9315
www.agriculture.ks.gov

Laura Kelly, Governor

April 16, 2025

NOBLE DAIRY LLC
3705 F ROAD
GARDEN CITY KS 67846

RE: Filed Office Application for Change
Water Right, File No. 22,969

Dear Sir or Madam:

Enclosed is the order executed by the designee of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, approving the application for change under the above referenced file number.

Your attention is directed to the enclosures and to the terms, conditions, and limitations specified in this approval for change. A condition of this approval is that an acceptable water flow meter must be installed on the diversion works authorized under the referenced file number and meet current specifications. Please return the required notification of completion of the diversion works and installation of the required meter as soon as these actions are completed.

Since the order modifies the original document referred to above, it should be recorded with the Register of Deeds as other instruments affecting real estate.

The abandoned well must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations as adopted by the Kansas Department of Health and Environment.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Austin J. McColloch".

Austin J. McColloch
Assistant Water Commissioner

AM:
enclosures

pc: GMD 3

CERTIFICATE OF SERVICE

On this 16th day of April, 2025, I hereby certify that the foregoing Approval of Application for Change in Point of Diversion, Water Right, File No. 22,969 dated 16th day of April, 2025 was mailed postage prepaid, first class, US mail to the following:

NOBLE DAIRY LLC
3705 F ROAD
GARDEN CITY KS 67846

Pc:

GMD 3


Division of Water Resources Staff

Submit completed application to:
Kansas Department of Agriculture
Division of Water Resources
Field Office for your area.

Call for address:

Topeka -- (785) 296-5733
Stafford -- (620) 234-5311
Stockton -- (785) 425-6787
Garden City -- (620) 276-2901
<http://agriculture.ks.gov/dwr>

DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended.
Fee Schedule is on the third page of this application form.

Paragraph Nos. 1, 2, 3 & 5 must be completed. Complete all other applicable portions. If change in point of diversion is greater than 100 feet, or if place of use will be changed, include a topographic map or detailed plat showing the authorized and proposed point(s) of diversion and/or place of use.

File No. 22969

RECEIVED

10:35 am

MAR 26 2025

Garden City Field Office
Division of Water Resources

1. Application is hereby made for approval of the Chief Engineer to change the (check one or both):

☐ Place of Use ☒ Point of Diversion

under the water right which is the subject of this application in accordance with the conditions described below.

The source of supply is: ☒ Groundwater ☐ Surface water

2. Name and address of Applicant: NOBLE DAIRY LLC

3705 F ROAD GARDEN CITY KS 67846

Phone Number: ()

Email address:

Name and address of Water Use Correspondent: SAME

Phone Number: ()

Email address:

3. The presently authorized place of use is:

Owner of Land ---- NAME: NO CHANGE

ADDRESS:

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

4. If this application is for a change in place of use, it is proposed that the place of use be changed to:

Owner of Land ---- NAME: NO CHANGE

ADDRESS:

(If there is more than one landowner, attach supplemental sheets as necessary.)

Sec.	Twp.	Range	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

For Office Use Only: Code _____ Fee \$ 200.00 TR # _____ Receipt Date 3-26-25 Check # 015206

5. **Presently authorized point of diversion:**

One in the CW Quarter of the SW Quarter of the SE Quarter
of Section 4, Township 26 South, Range 32 W,
in FI County, Kansas, 650 feet North 2630 feet West of Southeast corner of section.

Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)

(DWR use only: Computer ID No. 03 GPS _____ feet North _____ feet West)

☐ This point will not be changed ☐ This point will be changed as follows: ☐ No change, point better described with GPS as follows:

Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)

One in the NW Quarter of the NE Quarter of the NE Quarter
of Section 9, Township 26 South, Range 32 W,
in FI County, Kansas, 5206 feet North 1000 feet West of Southeast corner of section.

Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) 550

This point is: ☐ Additional Well ☐ Geo Center List other water rights that will use this point _____

6. **Presently authorized point of diversion:**

One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section _____, Township _____ South, Range _____ (E/W),
in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.

Authorized Rate _____ Authorized Quantity _____ Depth of well _____ (feet)

(DWR use only: Computer ID No. _____ GPS _____ feet North _____ feet West)

☐ This point will not be changed ☐ This point will be changed as follows: ☐ No change, point better described with GPS as follows:

Proposed point of diversion: (Complete only if change is requested or if existing point is better described by GPS)

One in the _____ Quarter of the _____ Quarter of the _____ Quarter
of Section _____, Township _____ South, Range _____ (E/W),
in _____ County, Kansas, _____ feet North _____ feet West of Southeast corner of section.

Proposed Rate _____ Proposed Quantity _____ Proposed well depth (feet) _____

This point is: ☐ Additional Well ☐ Geo Center List other water rights that will use this point _____

7. The changes herein are desired for the following reasons?
(please be specific) LOSS PRODUCTION

8. If a well, is the test hole log attached? ☒ Yes ☐ No

9. The change(s) (was)(will be) completed by?

ASAP

10. If the point of diversion is a well:

(a) What are you going to do with the old well?

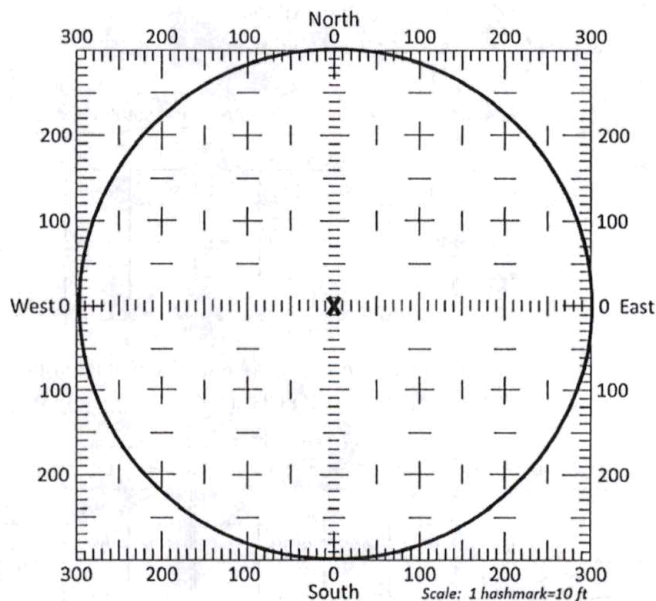
(b) When will this be done? _____

11. Groundwater Management District recommendation attached?

☐ Yes ☐ No

12. Assisted by MM/GCFO

13a. If the proposed point of diversion will be relocated more than 300 feet but within 2,640 feet of the existing point of diversion, attach a topographic map or aerial photograph. For groundwater sources, show all wells (including domestic) within one-half mile of the proposed point of diversion and the names and mailing addresses of the owners. For surface water sources, show the names and addresses of the landowner(s) one-half mile downstream and one-half mile upstream from your property lines



13b. If the proposed point of diversion will be relocated within a 300 foot radius of the existing point of diversion, indicate its location on the diagram shown above in relation to the existing point of diversion. The proposed point of diversion must be located within the circle shown above. (PLEASE NOTE: The "X" in center of diagram above represents the presently authorized point of diversion.)

14. If the proposed groundwater point of diversion is 300 or fewer feet from the existing point of diversion, complete the following:

- (a) Does the undersigned represent all owners of the currently authorized place(s) of use identified in this application?
☐ Yes ☐ No (If no, all owners must sign this application.)
- (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested?
☐ Yes ☐ No (If yes, all owners must sign this application.)
- (c) If this application is not approved expeditiously, will there be substantial damage to property, public health or safety?
☐ Yes ☐ No (If no, all owners must sign this application.)

If the application proposes a surface water change in point of diversion, a groundwater change in point of diversion greater than 300 feet, or a change in place of use, the application must be signed by all owners of the currently authorized place of use, or their duly authorized agent (attach notarized statement authorizing representation).

I hereby verify, being first duly sworn upon my oath or affirmation and under penalty of perjury, that I am of lawful age and the owner, the spouse of the owner, or a duly authorized agent of the owner(s) to make this application on their behalf, in regards to the water right(s) to which this application pertains. I further verify that the statements contained in this application are true, correct and complete.

Dated at Garden City, Kansas, this 24th day of March, 2025.

[Signature]
(Owner)
Kyle S. Averhoff, Manager
(Please Print)

(Spouse)

(Please Print)

(Owner)

(Spouse)

(Please Print)

(Please Print)

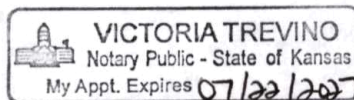
(Owner)

(Spouse)

(Please Print)

(Please Print)

State of Kansas }
County of Gray } SS



I hereby certify that the foregoing application was signed in my presence and sworn to before me this 24th day of March, 2025.

[Signature]
Notary Public

My Commission Expires 07/22/2027.

ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of the applicable portions of the application form must be completed with accurate information; maps, if necessary, must be included; signatures of all the appropriate owners' must be affixed to the application and notarized; and the appropriate fee must be paid.

FEE SCHEDULE

Each application to change the place of use or the point of diversion under this section shall be accompanied by the application fee set forth in the schedule below: Make checks payable to: **Kansas Department of Agriculture**

- (1) Application to change a point of diversion 300 feet or less \$100
- * (2) Application to change a point of diversion more than 300 feet \$200
- (3) Application to change the place of use \$200

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-5-1, *et seq.* and other applicable provisions of the *Kansas Water Appropriation Law*, K.S.A. 82a-701 *et seq.*, and rules and regulations promulgated thereunder. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 22969.

1. A change application was received on March 26, 2025 requesting that the place of use and / or point of diversion authorized under the above-referenced file number be changed as described in the application.
2. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. ☐ Applicable ☒ Not Applicable
3. The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a 300 foot radius of the authorized point(s) of diversion. ☒ Applicable ☐ Not Applicable
4. The point(s) of diversion described herein is administratively corrected to be more accurately described using the Global Positioning System (GPS), as described in the application. ☐ Applicable ☒ Not Applicable
5. The point(s) of diversion authorized herein shall not actually be located more than 2640 feet from the previously authorized point(s) of diversion. ☒ Applicable ☐ Not Applicable
6. As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance with K.A.R. 5-6-13. ☒ Applicable ☐ Not Applicable
7. The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2025, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.
☒ Applicable ☐ Not Applicable
8. Installation of the works for diversion of water shall be completed on or before December 31, 2025, or within any authorized extension of time. By March 1, 2026 the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e.
☒ Applicable ☐ Not Applicable
9. The completed well log shall be submitted with the required notice. ☒ Applicable ☐ Not Applicable
10. All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c. ☒ Applicable ☐ Not Applicable
11. Additional Conditions are attached. ☐ Yes ☒ No
12. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law.

Administrative Appeal and Effective Date of Order

If you are aggrieved by this order, pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. A request for hearing by the Chief Engineer must be filed within **15 days** of service of this Order and a request for administrative review by the Secretary must be filed within **30 days** pursuant to K.S.A. 77-531. Any request for administrative review must state a basis for review pursuant to K.S.A. 77-527. File any request with **Kansas Department of Agriculture, Legal Division, 1320 Research Park Drive, Manhattan, KS 66502**. Failure to timely request a hearing or review may preclude review under the Kansas Judicial Review Act.

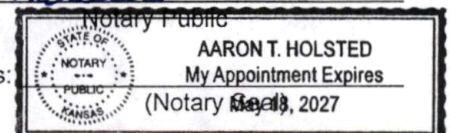
For Use by Register of Deeds

FOR OFFICE USE ONLY

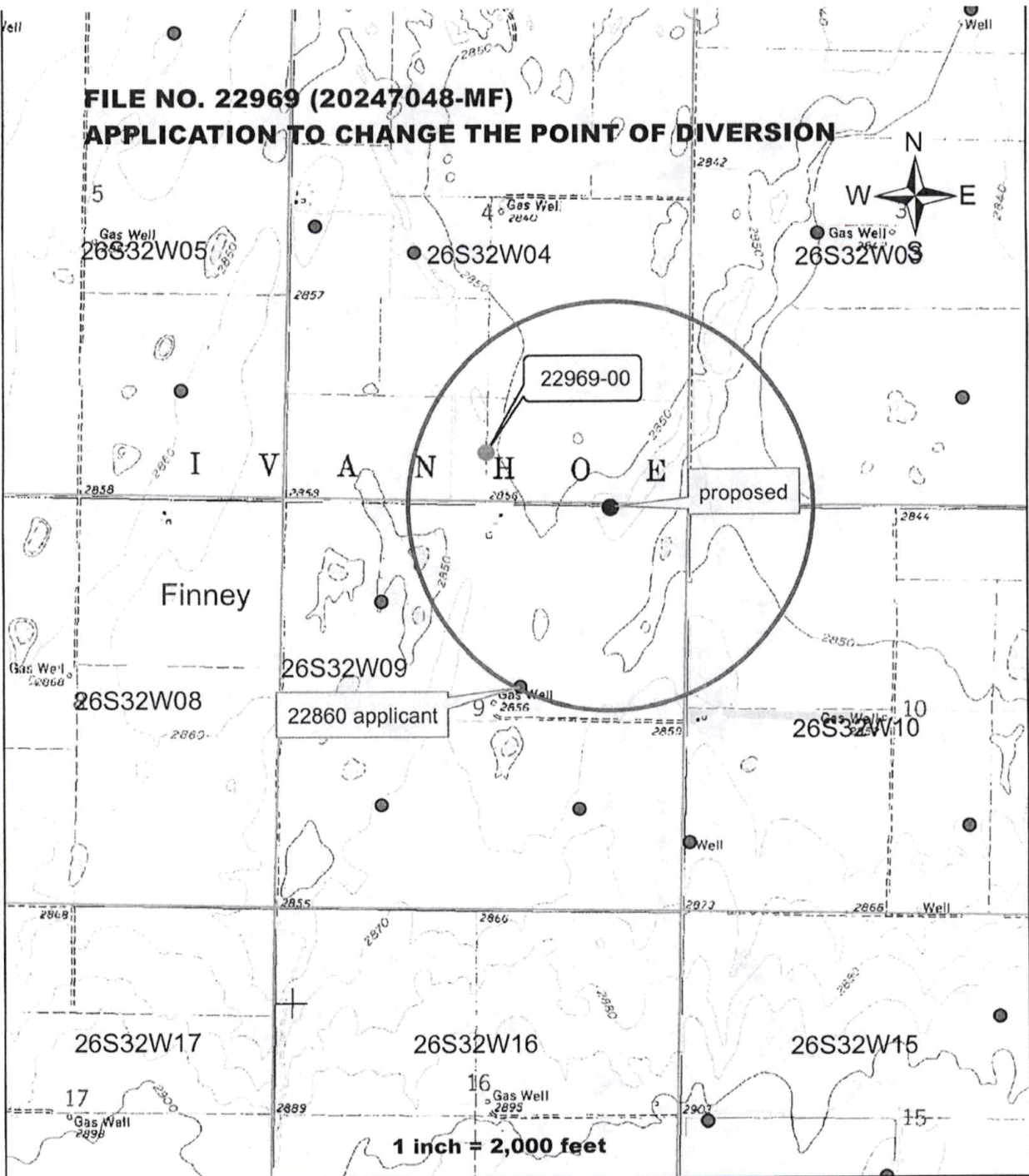
APPLICATION APPROVED AND SUMMARY ORDER ISSUED

By: Austin McColloch
Duly Authorized Designee of the Chief Engineer
(Print Name): Austin McColloch
Division of Water Resources - Kansas Department of Agriculture
Date of Issuance: April 16, 2025
State of Kansas)
County of Linney) SS
Acknowledged before me on April 16, 2025
by Austin McColloch
Signature: Aaron Holsted

My commission expires:

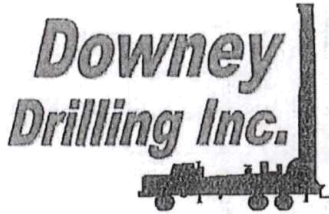


FILE NO. 22969 (20247048-MF)
APPLICATION TO CHANGE THE POINT OF DIVERSION



WELL LOG

DATE: 3/18/2025



TH # 2

CUSTOMER NAME: NOBLE DIARY

LEGAL: NE 9-26S-32W

COUNTY: FINNEY CO, KS

GPS: 37.809456

100.819621

DRILLER: ROCKY

WO: 24-1473

TW	FROM	TO	TYPE	HARDNESS	COLOR	SPEED	PULL DOWN	OTHER / DRILLING ACTION
0	2		TOPSOIL	SOFT	BROWN	FAST	NO	SMOOTH
2	6		BROWN SILTY CLAY	SOFT	BROWN	FAST	NO	SMOOTH
6	11		FINE SAND	SOFT	BROWN	FAST	NO	SMOOTH
11	25		BROWN SILTY CLAY	SOFT	BROWN	FAST	NO	SMOOTH
25	32		BROWN CLAY	SOFT	BROWN	FAST	NO	SMOOTH
32	53		FINE - MEDIUM - COURSE SAND / FINE GRAVEL	STIFF	BROWN	FAST	NO	VIBRATION
53	85		BROWN CLAY	SOFT	BROWN	SEMI SLOW	NO	SMOOTH
85	109		SNADY CLAY	SOFT	BROWN	FAST	NO	SMOOTH
109	128		FINE - MEDIUM - COURSE SAND / FINE GRAVEL	FIRM	BROWN	FAST	NO	FAST CHATTER
128	139		BROWN CLAY	SOFT	BROWN	FAST	NO	SMOOTH
139	146		FINE - MEDIUM - COURSE SAND	STIFF	BROWN	FAST	NO	VIBRATION
146	165		BLUE CLAY	SOFT	BLUE	FAST	NO	SMOOTH
165	172		FINE - MEDIUM - COURSE SAND	STIFF	BLUW TAN	FAST	NO	CHATTER
172	175		CEMENTED SAND	FIRM	/BROWN	SLOW	NO	CHATTER
175	181		BROWN CLAY	FIRM	BROWN	FAST	NO	SMOOTH
181	204		FINE - MEDIUM - COURSE SAND	STIFF	BROWN	FAST	NO	FAST CHATTER
204	244		BLUE CLAY	SOFT	BLUE	FAST	NO	SMOOTH
244	247		BROWN CLAY	SOFT	BROWN	FAST	NO	SMOOTH
247	253		FINE - MEDIUM - COURSE SAND	STIFF	BROWN	FAST	NO	FAST CHATTER
253	267		BROWN CLAY	SOFT	BROWN	FAST	NO	SMOOTH
267	273		FINE - MEDIUM - COURSE SAND	STIFF	BROWN	FAST	NO	CHOPPY
273	285		BLUE CLAY	SOFT	BLUE	FAST	NO	SMOOTH
285	291		FINE - MEDIUM - COURSE SAND	STIFF	BLUE BROWN/WHITE	FAST	NO	CHOPPY
291	299		SANDY CLAY / LIMESTONE	SOFTER	BROWN/WHITE	FAST	NO	VIBRATION
299	315		FINE - MEDIUM - COURSE SAND / SANDY CLAY TRACES	SOFTER	WHITE	FAST	NO	CHOPPY
315	331		FINE - MEDIUM - COURSE SAND	STIFF	BROWN/WHITE	FAST	NO	CHOPPY
331	375		FINE - MEDIUM - COURSE SAND / FINE GRAVEL / LIMESTONE	FIRM	WHITE	FAST	NO	CHATTER
375	381		BROWN CLAY	SOFT	BROWN	FAST	NO	SMOOTH
381	395		FINE - MEDIUM - COURSE SAND	STIFF	BROWN	FAST	NO	VIBRATION
395	405		BROWN CLAY	SOFT	BROWN	FAST	NO	SMOOTH
405	452		FINE SAND / BROWN CLAY LAYERS	SOFT	BROWN	FAST	NO	SMOOTH
452	461		FINE - MEDIUM - COURSE SAND	STIFF	BROWN	FAST	NO	VIBRATION
461	502		BROWN CLAY	SOFT	BROWN	FAST	NO	SMOOTH
501	517		FINE - MEDIUM - COURSE SAND / FINE GRAVEL / LIMESTONE	STIFF	BROWN	FAST	NO	FAST CHATTER
517	550		SOAPSTONE / BROWN ROCK	STIFF	BROWN	FAST	YES	FAST CHATTER

230'
Fsi. SWL

[illegible]

Garden City Field Office
4532 W. Jones, Suite B
Garden City, KS 67846



Phone: 620-276-2901
Fax: 620-276-9315
www.agriculture.ks.gov

Mike Beam, Secretary

Laura Kelly, Governor

March 28, 2025

KYLE J & KIMBERLY K LIGHTNER
3075 E PLYMELL RD
GARDEN CITY, KS 67846-8913

RE: Application for Change
Water Right, File Nos. 22969

Dear Sir or Madam:

This is to advise you that Noble Dairy has filed an application for approval of the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, to change the point of diversion under the above referenced applications. An irrigation well is proposed to be relocated to the NE¼ of Section 9, Township 26 South, Range 32 West, Finney County.

You can find the complete applications posted by water right file number as referenced above at:
<https://www.agriculture.ks.gov/divisions-programs/division-of-water-resources/water-appropriation/notices>

You are notified on this proposed point of diversion (well) so that you may furnish this office with any comments or other information you want to submit. Such comments or other information must be received in this office within 15 days from the date of this letter.

Should you have any questions, please feel free contact this office. If you would prefer, you could arrange an appointment for additional assistance. Please refer to the file number when you contact us if you wish to discuss a specific file.

Sincerely,

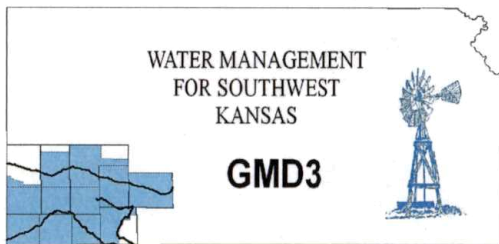
A handwritten signature in black ink, appearing to read "Austin J. McColloch".

Austin J. McColloch
Assistant Water Commissioner

AM:

pc:

SCANNED



Southwest Kansas
Groundwater Management District No. 3
2009 E. Spruce Street
Garden City, Kansas 67846
(620) 275-7147 phone
www.gmd3.org

April 14, 2025

Austin McColloch
Division of Water Resources
4532 W Jones Ave., Suite B
Garden City, Kansas 67846

RECEIVED

APR 15 2025

Garden City Field Office
Division of Water Resources

RE: Application for Change in Point of Diversion
Water Right, File No. 22969

Dear Austin:

We have completed a review of the application for the above-mentioned water right. The proposed change in point of diversion is in accordance with current area rules, K.A.R. 5-23-3, as it pertains to minimum spacing to neighboring wells and distance moved.

Well evaluations were conducted to estimate possible effects of the proposal on the supply of other wells with water rights prior to the proposal per K.S.A. 82a-708b, and the management program. Under K.S.A. 82a-708b, an applicant requesting a change in point of diversion must demonstrate to the chief engineer that any proposed change is reasonable and will not impair. The enclosed report is an analysis performed by the GMD on behalf of our membership. Under this analysis, the proposed change is considered to be reasonable and unlikely to impair if either the net in-season well-to-well effect of the proposed change is less than a strict maximum allowable threshold (4.0 ft with saturated thickness is greater than 200ft), or if no well with a net well-to-well effect exceeding the threshold is identified as critical. Critical wells are identified as wells that are expected to either lose or greatly diminish water supply over the next 25 years. The attached review information is based on a Theis analysis using inputs from the GMD3 aquifer model, which is considered to be the best information on well and aquifer data readily and easily available to the public. If either the applicant or the neighbors believe they have better data that might change the result of the analysis, they should contact GMD3. Conclusions of the well analysis may change if better information on well and aquifer data can be made available.

Every neighboring well within 1 mile of the proposed move was evaluated. Evaluations showed that none of the neighboring wells exceeded the net effect above the maximum allowable threshold and needed no further evaluation. No critical wells were determined in the area. We did not receive any comments from neighboring well owners. Therefore, GMD3 sees this move as meeting current area rules and would recommend approval. If aquifer conditions change or there is a change to the water right in the future, we would be happy to evaluate the effects at that time.

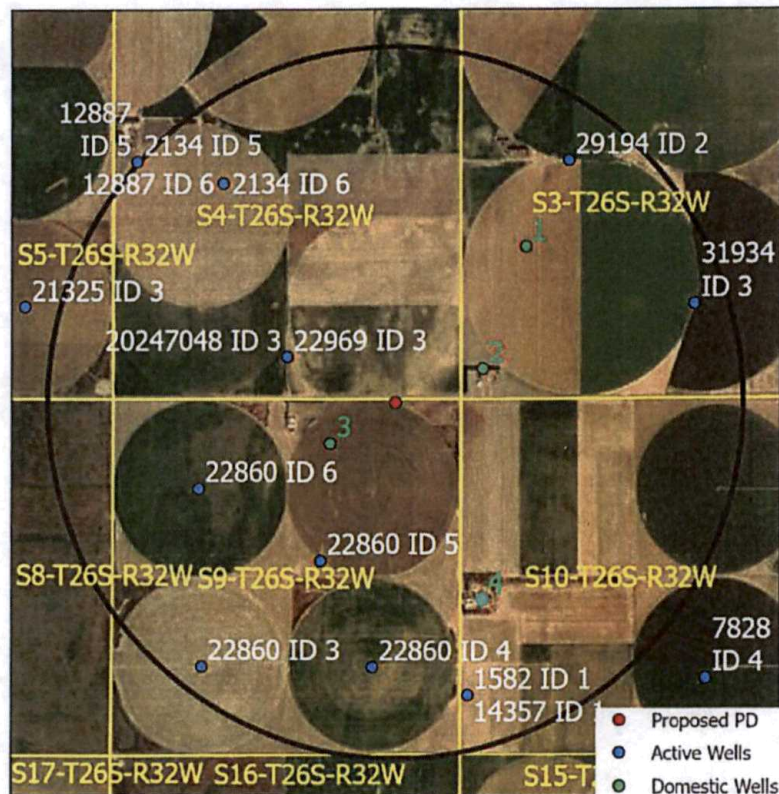
Thank you for the opportunity to review the applications and to provide a recommendation. If you have any questions, please don't hesitate to contact us.

Sincerely,

Jason L. Norquest
Assistant Manager

Evaluation of proposed move for Water Right No. 22969

Proposed: Move water right no. 22969 to a new well location, a distance of 1,773 ft to the southeast.



Wells within 1 mile: 2134 & 12887, 29194, 31934, 22860 ID3, 22860 ID4, 22860 ID5, 22860 ID6, 1582 & 14357, and four domestic wells, numbered on the above map.

The saturated thickness at the proposed well location is estimated to be 244 ft, based upon the GMD3 model. For saturated thickness greater than 200 ft, the drawdown allowance is 4.0 ft.

50 year Theis Analysis: The following values were used to run the analysis:

$S = 0.06$, $T = 33,832 \text{ ft}^2/\text{day}$, $tp_{\text{current}} = 0 \text{ days}$ (well has not been used recently), $Q_{\text{current}} = 0 \text{ gpm}$, $tp_{\text{proposed}} = 36 \text{ days}$, $Q_{\text{proposed}} = 850 \text{ gpm}$

Theis drawdowns were calculated as follows:

2134 & 12887:	Net drawdown = 0.6 ft
29194:	Net drawdown = 0.6 ft
31934:	Net drawdown = 0.5 ft
22860 ID3:	Net drawdown = 0.5 ft
22860 ID4:	Net drawdown = 0.7 ft
22860 ID5:	Net drawdown = 0.9 ft
22860 ID6:	Net drawdown = 0.8 ft

1582 & 14357: Net drawdown = 0.6 ft

Domestic 1: Net drawdown = 0.8 ft

Domestic 2: Net drawdown = 1.4 ft

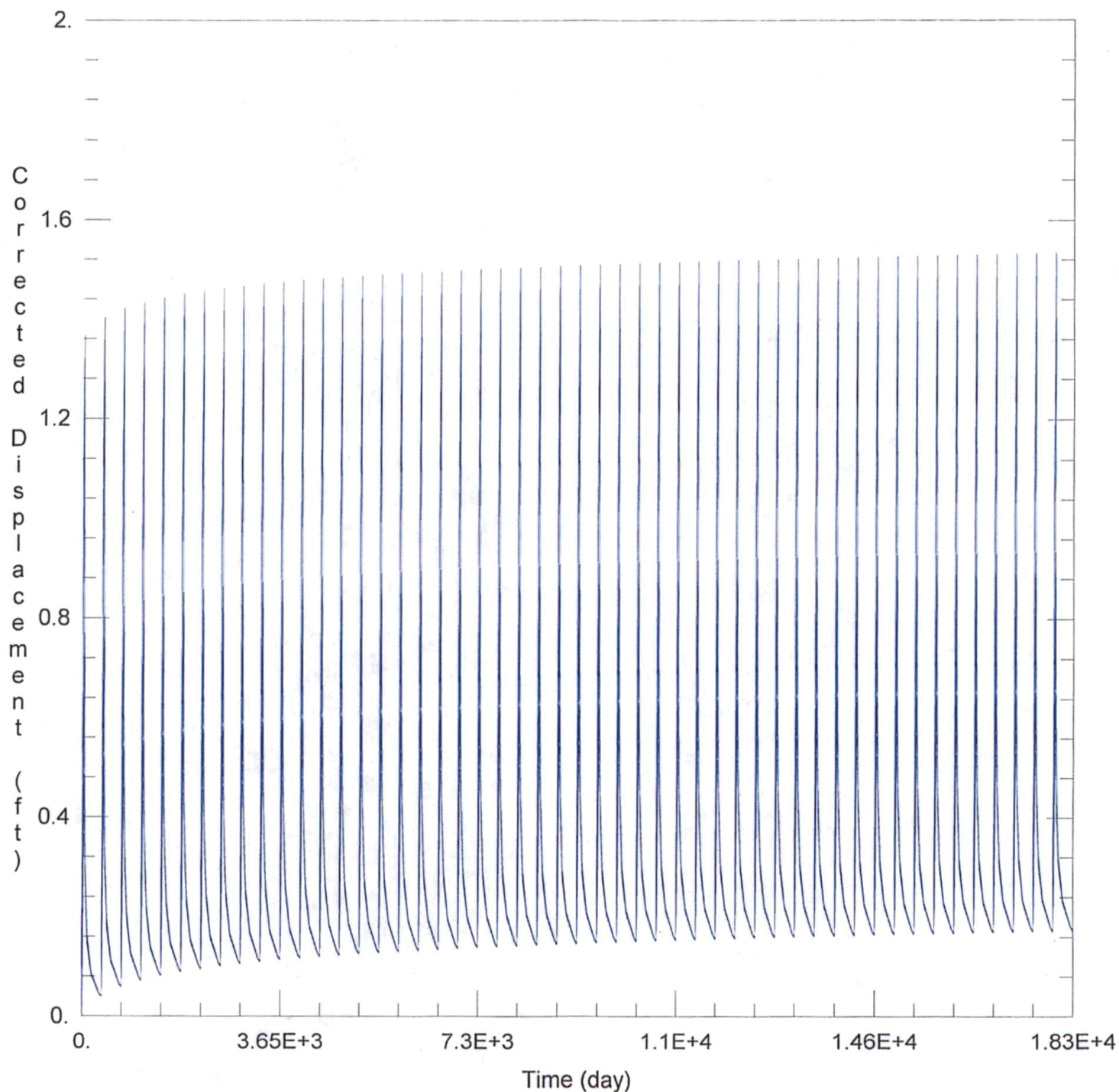
Domestic 3: Net drawdown = 1.5 ft

Domestic 4: Net drawdown = 0.8 ft

Net drawdown does not exceed the drawdown allowance of 4.0 ft for any well within 1 mile of the proposed location. Therefore, critical well analysis is not necessary.

Conclusion:

The proposed move is likely to create minimal effects on neighboring wells and appears unlikely to cause impairment. Any concerned neighbors should contact GMD3 at (620) 275-7147 or the Division of Water Resources at (620) 276-2901.



WELL TEST ANALYSIS

Data Set: C:\Users\trevora\Documents\2025_moves\22969\22969 Proposed.aqt

Date: 04/11/25

Time: 15:05:32

PROJECT INFORMATION

Company: GMD 3

Project: 22969

Location: Finney County

WELL DATA

Pumping Wells

Well Name	X (ft)	Y (ft)
22969	-5829	340252

Observation Wells

Well Name	X (ft)	Y (ft)
□	-5829	340252

Garden City Field Office
4532 W. Jones, Suite B
Garden City, KS 67846

Mike Beam, Secretary



Phone: 620-276-2901
Fax: 620-276-9315
www.agriculture.ks.gov

Laura Kelly, Governor

April 11, 2025

GROUNDWATER MANAGEMENT DISTRICT #3
2009 E SPRUCE ST
GARDEN CITY KS 67846

Re: Request for Recommendation,
File No. 22969

Dear Sir or Madam:

We are enclosing a copy of the referenced application, which was submitted by Noble Dairy and appears to be in proper form, for your review.

We are delaying any further action for a period of 15 days from the date of this letter to allow you time to submit your recommendation concerning this application. Please submit your recommendation within the allotted time, or any authorized extension of time thereof.

If you have any questions, please contact me at (620) 276-2901. If you wish to discuss a specific file, please have the file number ready to that I may help you more efficiently.

Sincerely,

A handwritten signature in blue ink, appearing to read "Austin McColloch".

Austin McColloch
Assistant Water Commissioner

Enclosure
pc: